



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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September 17, 1999

TO: File

THRU: Pam Grubaugh-Littig, Permit Supervisor *pgl*

FROM: Susan White, Reclamation Specialist *SW*

RE: Phase I Bond Release, Mountain Coal Company, Gordon Creek 2,7, & 8, ACT/007/016-BR99B, Folder #2, Carbon County, Utah

SUMMARY

An application for Phase I Bond Release for Gordon Creek 2,7, & 8 Mines was received September 7, 1999. The information found in the application is not considered adequate to meet the minimum application completeness requirements. The Permittee should make the requisite changes to the Mining and Reclamation Plan prior to request for bond release. Once approved as part of the Mining and Reclamation Plan the bond release application can then be submitted.

TECHNICAL ANALYSIS

RECLAMATION PLAN

MAPS, PLANS, AND CROSS SECTIONS OF RECLAMATION OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-323, -301-512, -301-521, -301-542, -301-632, -301-731.

Analysis:

BONDED AREA MAP - The Bond Release Application contains a map titled Final Reclamation (Phase I). The map depicts the disturbed area from the sediment ponds to #8 Mine. The map fails to identify the initial and successive areas or increments for bonding. The ponds to be removed at Phase II are identified as part of the Phase I bond release. The Sweet's Pond area is not identified in the application.

RECLAMATION BACKFILLING AND GRADING MAPS - As-built contour maps and

cross sections that show final configuration for backfilling and grading operations were submitted with the Bond Release Application. These modifications or changes to the reclamation plan as a result of the reclamation work must be approved by the Division and incorporated into the Mining and Reclamation Plan prior to request for bond release. Once approved as part of the Mining and Reclamation Plan the bond release application should provided references to these maps and plans.

Findings:

The information provided should be submitted as a permit amendment in accordance with:

R645-301-542.300, The modifications and changes to the reclamation plan (as-built contour maps and cross sections) must be approved by the Division and incorporated into the Mining and Reclamation Plan prior to request for bond release.

When submitting a complete bond release application the following information must be included.

R645-301-820.113, The Phase I area map must show the sediment ponds excluded from Phase I bond release. The status or bonding phase of Sweet's Pond must be identified.

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 784.14, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-301-512, -301-513, -301-514, -301-515, -301-532, -301-533, -301-542, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-733, -301-742, -301-743, -301-750, -301-751, -301-760, -301-761.

Analysis

Hydrologic reclamation plan.

The bond release application contains cross sections and reclaimed channel flow calculations. Any modifications, or changes to the reclamation plan as a result of the reclamation work must be approved by the Division and incorporated into the Mining and Reclamation Plan prior to request for bond release. Once approved as part of the Mining and Reclamation Plan the bond release application should provided references to these maps and plans in consideration for

bond release.

Findings:

The information provided should be submitted as a permit amendment in accordance with:

R645-301-742.342, The modifications and changes to the reclamation plan (channel as-built cross sections and flow calculations) as a result of the reclamation work must be approved by the Division and incorporated into the Mining and Reclamation Plan prior to request for bond release.

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

The applications fails to identify the successive areas or increments for bonding on the permit map and fails to specify the bond amount to be provided for each area or increment. The application requests a full 60% bond release, or \$384,865 released from the current bond amount of \$641,443. The advertisement for bond release states that reclamation was preformed on 24.3 acres. It is unclear what is included in the 24.3 acres of reclamation work. The application needs to clarify the following:

- The Mining and Reclamation Plan (page 2-13) states a total disturbance area of 20.3 acres.
- Does the acreage include the sediment ponds to be removed at Phase II Bond Release and if so the amount required to reclaim this area.
- Does this include Sweet's Pond and what is the bond status of the pond.

The application contains a copy of the proposed public notice. The notice needs to contain the following information:

- The permit approval date.
- The type of bond.
- A description of results achieved as they relate to the approved reclamation plan.

The bond release application contains copies of letters to be sent to adjacent landowner providing notification of bond release. A letter should also be sent to Helen Marakis, subsurface contiguous land owner.

Findings:

When submitting a complete bond release application the following information must be included.

R645-301-820.113, The bond amount, acreage, and reclamation phase for each area must be provided.

R645-301-880.120, The public notice must include additional information, including: permit approval date; type of bond; and results achieved. A notification letter should be sent to Helen Marakis.

RECOMMENDATION:

The bond release application should be denied and returned. Prior to submitting an application for bond release the Permittee should submit appropriate reclamation evaluations. Any modifications, amendments, or changes to the reclamation plan, (**R645-301-542.300** and **R645-301-742.342** as identified above) as a result of the reclamation work must be approved by the Division and incorporated into the Mining and Reclamation Plan prior to request for bond release. Once approved as part of the Mining and Reclamation Plan the bond release application should provided references to these maps and plans in consideration for bond release.

When submitting an application for bond release, the requirements of **R645-301-820.113** and **R645-301-880.120** must be provided as outlined above.